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UNCLAS ZAGREB 001803

SIPDIS

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SUBJECT: CROATIA STILL OPEN TO NEGOTIATED SETTLEMENT ON
MARITIME BOUNDARY

REF: (A) ZAGREB 1737 (B) ZAGREB 1741

SUMMARY AND COMMENT

[1](#)1. (SBU) Croatia remains open to a negotiated bilateral settlement on the Croatia-Slovenia maritime boundary despite press reports to the contrary. A much-hyped Slovenian proposal to avoid fishing incidents in the Adriatic has not yet been presented to the GoC. Two weeks after Slovenian parliamentary elections, the maritime boundary issue is still very much alive; if Croatia is unable to conclude bilateral negotiations with Slovenia on the border, it will press for international arbitration. END SUMMARY AND COMMENT.

NEGOTIATIONS STILL POSSIBLE

[1](#)2. (SBU) On October 14, Croatian MFA Director for Central Europe and Head of the International Law Department told Emboffs that the GoC was still open to a negotiated bilateral settlement on the open maritime boundary question with Slovenia. If a negotiated agreement proves impossible, the GoC is prepared to submit to binding arbitration (reftel A). MFA lawyers have not started to prepare their case to present before an arbitration court, though they have begun collecting relevant documents.

[1](#)3. (SBU) Our MFA contacts' statements contradict an October 15 press report that FM Zuzul's formation of a special team to handle arbitration meant that Croatia had ruled out a bilateral agreement. Our MFA contacts had not heard of any such arbitration team.

[1](#)4. (SBU) Croatian and Slovenian media reported that Slovenia would present the Croatian MFA with an "Agreement on the Avoidance of Incidents" in the disputed territorial waters of the northern Adriatic. On September 30 -- the day Slovenian FM Ivo Vajgl announced Slovenia would present its proposal -- the Head of EU Politics at the Croatian MFA told us he had heard of the proposal only from the newspapers and that he had no meetings scheduled with the Slovenian Embassy in Zagreb. At the October 14 meeting, our MFA contacts confirmed that they have not/not received such agreement from the GoS.

[1](#)5. (SBU) Our MFA contacts stressed that Croatia will not use its recently-proclaimed Fishing and Environmental Protection Zone (FEPZ) to press its case on the maritime boundary (reftel B). The FEPZ and maritime boundary are completely separate questions, although the media and even some GoC officials have employed rhetoric equating the FEPZ with territorial expansion. The FEPZ lies well south of the disputed area.

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